

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE UNDER RULE 312  
EXPEDITED HANDLING PROCEDURES**

In re Patent Application of

Atty Dkt. 1579-599  
C# M#

HAYNES et al

TC/A.U. 1648

Serial No. 09/960,717

Examiner: Stucker, J.

Filed: September 24, 2001

Date: February 28, 2005

Title: IMMUNOGEN COMPRISING AN HIV ENVELOPE PROTEIN, A LIGAND AND H2  
PEPTIDE

#33

**Mail Stop 313(c)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 1.313(C)**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

## Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number	
previously paid for	20	(at least 20) =	0 x \$50.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	0	minus highest number	
previously paid for	3	(at least 3) =	0 x \$200.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add

\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add		\$130.00 (1814)/ \$65.00 (2814) \$
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Applicant claims "small entity" status.  Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee		\$180.00 (1806) \$
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Assignment Recording Fee		\$40.00 (8021) \$
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Other: Petition Fee Under 37 CFR 1.17(h)		\$ 130.00
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**TOTAL FEE ENCLOSED \$ 130.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

01 FD:1464

130.00 OP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Confirmation No. 4196

HAYNES et al

Atty. Ref.: 1579-599

Serial No.: 09/960,717

Allowed: October 21, 2003

Filed: September 24, 2001

TC/A.U.: 1648

For: IMMUNOGEN COMPRISING AN  
HIV ENVELOPE PROTEIN, A LIGAND  
AND H2 PEPTIDE

Examiner: Stucker, J.

\* \* \* \*

February 28, 2005

**PETITION TO WITHDRAW FROM ISSUE UNDER 1.313(c)**

**RECEIVED**

FEB 28 2005

**OFFICE OF PETITIONS**

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Withdrawal of the above application from issue is hereby requested in order that the request for continued examination (RCE) submitted herewith can be considered. Submitted with the RCE is an Information Disclosure Statement that includes references cited in a supplementary European Search Report recently issued in connection with a related European Application.

The fee required under 37 CFR 1.17(h) is submitted herewith.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

By Mary J. Wilson  
Mary J. Wilson  
Reg. No. 32,955

MJW:tat

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